



General Assembly

***Substitute Bill No. 1078***

*January Session, 2001*

***AN ACT PROTECTING PURCHASERS OF HOME HEATING OIL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (a) On or after November 1, 2001, no person, firm  
2       or corporation shall engage in the retail sale of home heating oil  
3       without a certificate of registration as a home heating oil dealer issued  
4       pursuant to this section.

5       (b) Each person, firm or corporation seeking registration as a home  
6       heating oil dealer shall apply annually for a certificate of registration  
7       with the Department of Consumer Protection on forms prescribed by  
8       the Commissioner of Consumer Protection. Each applicant shall pay a  
9       registration fee of one hundred dollars. The commissioner shall require  
10      all applicants for registration as a home heating oil dealer to provide  
11      evidence of general liability insurance coverage and insurance that  
12      covers clean up costs associated with any oil spill caused by such  
13      applicant as a registered dealer. Each registered dealer shall provide  
14      the department with evidence of each renewal of or change to such  
15      insurance coverage not later than five days after such renewal or  
16      change during the period of registration, which renewal or change  
17      shall meet the requirements of this subsection.

18      Sec. 2. (NEW) A contract for the retail sale of home heating oil that  
19      offers a certain price or service, whether known as capped, fixed price  
20      or other similar terms, shall be in writing. The effect of any term or

21 condition that could lead to a limitation, exception or variance from  
22 the price or service provided for in the contract shall be explained in a  
23 disclosure. Such disclosure shall immediately follow the language  
24 concerning the price or service that could be affected and shall be  
25 printed in no less than twelve-point boldface type of uniform font in  
26 an easily readable style.

27     Sec. 3. (NEW) The Department of Consumer Protection shall, at least  
28 annually, and as frequently as the Commissioner of Consumer  
29 Protection deems necessary, test and certify as accurate any fuel  
30 dispensing meter used by any home heating oil dealer registered  
31 pursuant to section 1 of this act.

32     Sec. 4. (NEW) Any person, firm or corporation required to register  
33 as a home heating oil dealer pursuant to section 1 of this act that offers  
34 plumbing and piping work or heating, piping and cooling work shall  
35 submit evidence, deemed satisfactory by the Commissioner of  
36 Consumer Protection, when registering, that such person, firm or  
37 corporation subcontracts with or employs only persons licensed or  
38 registered pursuant to chapter 393 of the general statutes to perform  
39 such work. Such person, firm or corporation shall attest, when  
40 applying for registration as a dealer pursuant to section 1 of this act,  
41 that all plumbing and piping work or heating, piping and cooling  
42 work shall be performed in accordance with the provisions of chapter  
43 393 of the general statutes.

44     Sec. 5. (NEW) The Department of Consumer Protection may revoke  
45 or suspend any certificate of registration issued pursuant to section 1  
46 of this act upon a finding of a violation of the provisions of section 1, 2  
47 or 4 of this act.

48     Sec. 6. (NEW) A violation of the provisions of section 1, 2 or 4 of this  
49 act constitutes an unfair trade practice under subsection (a) of section  
50 42-110b of the general statutes.

**GL**           **JOINT FAVORABLE SUBST.**

***JUD***      *JOINT FAVORABLE*